



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Norris et al. Art Unit : 1635
 Serial No. : 09/548,449 Examiner : Janet L. Epps-Ford
 Filed : April 13, 2000
 Title : TISSUE-SPECIFIC AND PATHOGEN-SPECIFIC TOXIC AGENTS AND RIBOZYMES

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), THE PENN STATE RESEARCH FOUNDATION and MUSC FOUNDATION FOR RESEARCH DEVELOPMENT, certify that they are co-assignees of the entire right, title, and interest in the above-identified application by virtue of assignments from inventors or a previous assignee of the above-identified patent application. The assignments were recorded in the Patent and Trademark Office at Reel 011150, Frame 0242 on August 18, 2000 and at Reel 013363, Frame 0490 on October 8, 2002. THE PENN STATE RESEARCH FOUNDATION and MUSC FOUNDATION FOR RESEARCH DEVELOPMENT also certify that they are co-assignees of U.S. Patent No. 6,271,359.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in THE PENN STATE RESEARCH FOUNDATION and MUSC FOUNDATION FOR RESEARCH DEVELOPMENT.

The undersigned is empowered to act on behalf of the co-assignees.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate an obviousness-type double patenting rejection, the co-assignees identified above hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the above-identified application subsequent to the

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant : James Norris et al.
Serial No. : 09/548,449
Filed : April 13, 2000
Page : 2 of 2

Attorney's Docket No.: 14017-006001 / PSU 99-2157

expiration date of U.S. Patent No. 6,271,359, whereby the patent granted on the above-identified application and U.S. Patent No. 6,271,359 will expire on the same day, provided that any patent granted on the above-identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,271,359.

The co-assigees identified above do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,271,359 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. The co-assigees identified above do not disclaim or otherwise affect any part of U.S. Patent No. 6,271,359.

This disclaimer runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 14017-006001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: December 10, 2003


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